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**RICHARD NEWTON HILL, JR.**

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**Fax**

2 **To:** Ms. Hope Wiggins, LIE **From:** RICHARD N. HILL, JR.  
3 **Fax:** 1-571-273-8300 **Pages:** 4  
4 **Phone:** 1-571-272-4401 **Date:** Thursday, May 24, 2007  
5 **Re:** Your Notice Of Non-Compliant Amendment (37CFR 1.121) of May 17, 2007, U.S. PATENT  
6 APPLICATION NO. 10/600701, filed June 23, 2003, TC/A.U.: 3746, Examiner: Charles G. Freay  
7  
8 **[ X ] Urgent [ X ] For Review [ X ] Please Comment**  
9 • RESPONSE TO MS. WIGGINS LIE, "NOTICE OF NON-COMPLIANT AMENDMENT (37CFR 1.121)  
10 • Claims 1-44 (canceled)

11 **CLAIMS**  
12

13 45. ( new) A wave and tide actuated submersible pump for use in an open body of water,  
14 said wave and tide actuated submersible pump comprising a pump cylinder (7) having an  
15 open top end and a closed bottom end (13), said cylinder (7) is affixed to a structure located  
16 in an open body of water,  
17 an inlet check valve (11) and an outlet check valve (12) connected to openings in the  
18 pump cylinder (7) near the lower end of said cylinder (7), said inlet check valve (11) allowing  
19 for the intake of water from the body of water and said outlet check valve (12) controlling the  
20 flow of water from the pump to a remote location,